

**MEMORANDUM**  
**TO THE HONORABLE STERLING JOHNSON, JR.**  
**SENIOR U.S. DISTRICT JUDGE**

RECEIVED  
IN CHAMBERS OF  
HON. STERLING JOHNSON, JR.

FEB 9 - 2006

RE: TROIA, Josephine  
Docket No. 95-CR-754      TIME    A.M. \_\_\_\_\_  
Request For Early Termination      P.M. \_\_\_\_\_

Reference is made to the above-named individual who was sentenced by Your Honor on February 5, 1999, following a conviction for Armed Bank Robbery, in violation of 18 U.S.C. 2113(a) and (d). The offender was sentenced to forty-one (41) months custody plus a five (5) year term of supervised release. A \$50.00 special assessment was also imposed. The offender is scheduled to terminate from supervised release on March 12, 2007.


The purpose of this memorandum is to seek the Court's approval for early termination of supervision for the offender. The offender has been on supervision for more than forty-six (46) months and since commencement of same, she has fully complied with all general and special conditions of supervision as ordered by the Court.

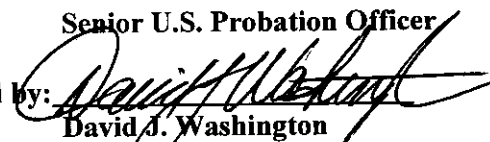
As the Court is aware, early termination is controlled by statute, case law, and policy matters. With regard to statute, felony probation and supervised release cases are subject to 18 U.S.C. 3564 (c) and 18 U.S.C. 3583 (e)(1) respectively; and the general provisions of 18 U.S.C. 3553 (a). Case law in this Circuit regarding early termination of supervision falls under U.S. v Lussier, 204 F. 3d 32, 36 (2d Cir. 1997), and U.S. v Sheckley, 129 F.3d. 114 (2d Cir. 1997). Finally, the policy factor which influences early termination results from recent directives from the Judicial Conference Criminal Law Committee and Administrative Office of the U.S. Courts. In this regard, the Criminal Law Committee has directed early termination of supervision as the recommended and favored policy for appropriate probation and supervised release offenders. It should be noted, however, that some but certainly not all of the underpinnings to this policy are budget driven and part of the overall federal judiciary's "cost containment" program.

Predicated on the entirety of this case, as well as each of the factors which control early termination of supervision, the Probation Department respectfully recommends that Your Honor grant our request for early termination of supervision of the offender for the reasons set forth above.

**RESPECTFULLY SUBMITTED:**

TONY GAROPPOLO  
CHIEF U.S. PROBATION OFFICER

Prepared by:   
Eric D. Harmon  
Senior U.S. Probation Officer

Approved by:   
David J. Washington  
Supervising U.S. Probation Officer

EDH:sid  
February 6, 2006  
Central Islip

Terminate From Supervision:  2/9/06  
Senior U.S. District Judge      Date

Other Directives  
of the Court:

\_\_\_\_\_  
Senior U.S. District Judge      Date